REMARKS

Applicants respectfully request a three months extension of time to December 12, 2009 in which to respond to the official action. The three months extension fee is charged to the undersigned Attorney's Deposit Account 10-0100. Should additional fees or a credit be associated with this paper, the additional fees or credit can be charged or credited to the undersigned Attorney's Deposit Account 10-0100.

Claims 1, 6, 7, 11-14 and 16 are cancelled.

Claims 17-29 are added.

Claims 1, 6-7 and 14 are rejected under 35 USC § 103(a) as allegedly being unpatentable over Berthet et al. in view of Vermont et al. and Baker et al. Applicants respectfully traverse the rejection. The cancellation of claims 1, 6-17 and 14 moots the rejection.

Claims 17-29 state with specificity the operable proportion of a specific first bleb and a specific second bleb, and the unexpected results achieved by the novel specific first and second bleb combination.

Applicants claim a first bleb specific PorA "that is PorA non-deficient 95 to 105% PorA relative to PorA composition of strain H44/76" in combination with a specific second bleb being a "PorA deficient" relative to "the total protein of the vesicle" and "less than 80% relative to the PorA composition of strain H44/76" (claim 17). This specific combination and proportion is not disclosed in or suggested by the prior art whether taken alone or in combination.

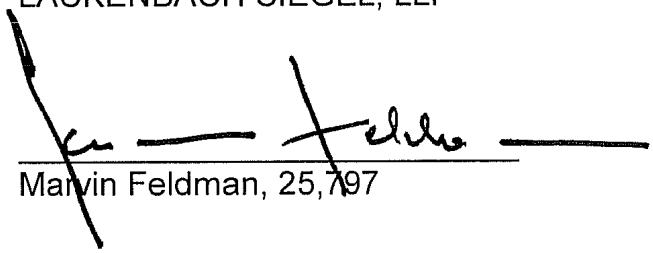
The rejection rests on the supposition that it would be obvious to combine the bleb preparations of Vermont et al. Baker et al. and Granoff et al. for "the same purpose" namely; to control the New Zealand meningococcal epidemic". Assuming arguendo the validity of the supposition, the art is devoid of disclosure or suggestions as to claimed proportion, or any consequence of the claimed proportion. Further and more telling is the unexpected results, namely "immunogencity against heterologous strains" (claims 26-27) and the combination being "free of immune interference" (claims 28-29). That is, combining diverse blebs is discouraged in the prior art because of possible immune interference. And more pointedly there is no prior art teaching that in achieving arguably expected bactericide activity, there would also be the most unexpected immunogencity against heterologous strains.

For each and all of the foregoing reasons, claims 17-29 are submitted to patentably distinguish over the combination of the several prior art references.

An early allowance is respectfully requested.

Respectfully submitted,

LACKENBACH SIEGEL, LLP



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